

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

THERESA L. WASHINGTON,	:	
Plaintiff,	:	
v.	:	Case No. 3:15-cv-441
ELMER R. MARCHBANKS, JR.,	:	JUDGE WALTER H. RICE
<i>et al.</i> ,	:	
Defendants.	:	

DECISION AND ENTRY ADOPTING UNITED STATES MAGISTRATE JUDGE'S REPORT AND RECOMMENDATIONS (DOC. #4); DISMISSING PLAINTIFF'S CLAIMS; JUDGMENT TO BE ENTERED IN FAVOR OF DEFENDANTS AND AGAINST PLAINTIFF; CERTIFYING THAT ANY APPEAL WOULD NOT BE TAKEN IN GOOD FAITH; DENYING LEAVE TO APPEAL *IN FORMA PAUPERIS*; TERMINATION ENTRY

Based on the reasoning and citations of authority set forth by Chief United States Magistrate Judge Sharon L. Ovington in her February 26, 2016, Report and Recommendations, Doc. #4, as well as on a thorough, *de novo* review of this Court's file and the applicable law, the Court ADOPTS said judicial filing in its entirety. Although Plaintiff was notified of her right to file Objections to the Report and Recommendations, and of the consequences of failing to do so, no Objections have been filed within the time allotted.


Because Plaintiff has failed to state a viable claim under 42 U.S.C. § 1983, the Court DISMISSES her Complaint. Pursuant to 28 U.S.C. § 1915(a)(3), the

Court certifies that an appeal of this Decision and Entry would not be taken in good faith and would be objectively frivolous. Accordingly, Plaintiff may not appeal *in forma pauperis*.

Judgment will be entered in favor of Defendants and against Plaintiff.

The captioned case is hereby ordered terminated upon the docket records of the United States District Court for the Southern District of Ohio, Western Division, at Dayton.

Date: March 16, 2016



WALTER H. RICE
UNITED STATES DISTRICT JUDGE